

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAMAR BASS,

Defendant.

8:02CR419

ORDER

Defendant Lamar Bass (Bass) appeared before the court on May 23, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 177). Bass was represented by William J. Pfeffer and the United States was represented by Assistant U.S. Attorney John E. Higgins. Through his counsel, Bass waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and Bass should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. Through counsel, Bass declined to present any evidence or request a hearing on the issue of detention. Since it is Bass's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence he is neither a flight risk nor a danger to the community, the court finds Bass has failed to carry his burden and Bass should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:00 a.m. on June 21, 2012**. Defendant must be present in person.
2. Defendant Lamar Bass is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 23rd day of May, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge